



July 20, 1999

Mr. Philip L. Hall  
Assistant Criminal District Attorney  
Walker County, Texas  
P.O. Box 1659  
Huntsville, Texas 77342

OR99-2031

Dear Mr. Hall:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 127799.

The Walker County District Attorney's Office (the "office") received a request for information on certain jurors and court exhibits. You claim that the requested information is excepted from disclosure under sections 552.028 and 552.003(1)(B) of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

Section 552.028 of the Government Code provides:

(a) A governmental body is not required to accept or comply with a request for information from:

(1) an individual who is imprisoned or confined in a correctional facility[.]

\* \* \*

(b) This section does not prohibit a governmental body from disclosing to an individual described by Subsection (a)(1), or that individual's agent, information held by the governmental body pertaining to that individual.

(c) In this section, 'correctional facility' has the meaning assigned by Section 1.07(a), Penal Code.

Gov't Code § 552.028. Because you have shown that the individual requesting the information at issue is "an individual who is imprisoned or confined in a correctional facility," section 552.028 of the Government Code governs your request. Therefore, you are not required to accept or comply with his request.

Because section 552.028 of the Government Code is dispositive, we need not address your section 552.003(1)(B) claim. We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Sue M. Lee", with a stylized flourish at the end.

Sue M. Lee  
Assistant Attorney General  
Open Records Division

SML\nc

Ref: ID# 127799

Encl: Submitted documents

cc: Mr. George R. Rogers  
TDCJ-ID # 434095  
Wynne Unit  
Huntsville, Texas 77349  
(w/o enclosures)